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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/733,453

12/08/2000

Robert E. Haines

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07/02/2004

HEWLETT-PACKARD COMPANY  
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EXAMINER

GHEE, ASHANTI

ART UNIT

PAPER NUMBER

2626

DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/733,453

Applicant(s)

HAINES, ROBERT E.

Examiner

Ashanti Ghee

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.3.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 6-10, 13-17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayward et al. (US Patent No. 6,629,134) in view of Haines et al. (US Patent No. 6,529,692).

Regarding claims 1 and 8, Hayward discloses a method of notifying an operator of an event with respect to a hard copy output engine, comprising: detecting (detect) a status (the state of the machine) of a portion (e.g. paper tray empty) of the hard copy output engine (evident that the peripheral 10 has a hard copy output engine) from a sensor (sensors12) incorporated (includes) in the hard copy output engine (10; col. 2, lines 8-16); and displaying (display screen, col. 5, lines 20-35), in response to detecting (detect, col. 2, lines 8-16), a graphical user interface (display screen, col. 5, lines 20-35) including information (status inquiry) describing the portion (peripheral condition) and the status (status), and including a set of user-selectable options (see Fig. 4) including: dismissal of the graphical user interface (a close button, Fig. 4, reads on dismissal of the graphic user interface), assistance in ordering ("BUY NOW" button) consumables (magenta ink cartridge) or services identified by the graphical user interface (col. 5, lines 58-col. 6, lines 1-16).

Although Hayward does not disclose a deferment of action nor inhibiting further display of the GUI, Haines discloses deferment of action (delay notification) with respect to the consumables (consumables) or services identified (notifies in the context of this reference reads on identified) by the graphical user interface (personal computer in the context of this reference reads on graphical user interface) for a user-selectable interval (defined period of time reads on user-selectable interval; col. 8, lines 15-33) and inhibiting (turn off) further displaying (notification) of the graphical user interface (personal computer; col. 8, lines 15-33).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Hayward and Haines due to both references disclosing a consumable ordering system to enhance the ease and speed with which consumables are replenished and/or replaced so that adequate supplies of consumables are available for a computer peripheral device.

Regarding claims 2 and 9, Hayward does not disclose detecting a status includes detecting a toner low or toner out status.

However, Haines discloses the method wherein detecting a status includes detecting a toner low or toner out status (col. 7, lines 39-45).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Hayward and Haines due to both references disclosing a consumable ordering system to enhance the ease and speed with which consumables are replenished and/or replaced so that adequate supplies of consumables are available for a computer peripheral device.

Regarding claims 3 and 10, Hayward discloses the method further comprising: composing an electronic message including information describing the status (col. 8, lines 17-23); and transmitting the electronic message (col. 8, lines 17-23).

Regarding claims 6 and 13, Hayward discloses the method wherein the hard copy output engine is chosen from a group consisting of: facsimile machines, photocopiers and printers (see Fig. 3).

Regarding claims 7 and 14, Hayward discloses the method wherein transmitting the electronic message comprises transmitting an electronic message including a consumable order (col. 8, lines 17-23).

Regarding claim 15, Hayward discloses a computer implemented control system for a hard copy output engine, the system comprising: a sensor (sensors 12) coupled (Fig. 1) to a portion (e.g. paper tray empty) of the hard copy output engine (evident that peripheral 10 has an output engine), the sensor (12) being configured (to detect) to provide a status of the portion (to detect conditions reads on to provide a status of the portion; col. 2, lines 8-16); a video interface (status monitor 24; col. 2, lines 8-16); and processing circuitry coupled to the sensor and to the video interface, the processing circuitry (Firmware 16) being coupled (Fig. 1) to the sensor (12) and to the video interface (user interface 20 which includes the status monitor 24), the processing circuitry (16) configured to: detect (to detect) the status (conditions) of the portion (paper tray empty; col. 2, lines 8-16); and display (display screen) via video interface (24) and in response to the status (application program will indicate the condition...on display screen; col. 5, lines 11-18); a graphical user interface (display screen, col. 5, lines 20-

35) including information (status inquiry) to describe the portion (peripheral condition) and the status (status), and including a set of user-selectable options (see Fig. 4) including: dismissal of the graphical user interface (a close button, Fig. 4, reads on dismissal of the graphic user interface), assistance in ordering ("BUY NOW" button) consumables (magenta ink cartridge) or services identified by the graphical user interface (col. 5, lines 58-col. 6, lines 1-16).

Although Hayward does not disclose a deferment of action nor inhibiting further display of the GUI, Haines discloses deferment of action (delay notification) with respect to the consumables (consumables) or services identified (notifies in the context of this reference reads on identified) by the graphical user interface (personal computer in the context of this reference reads on graphical user interface) for a user-selectable interval (defined period of time reads on user-selectable interval; col. 8, lines 15-33) and inhibiting (turn off) further displaying (notification) of the graphical user interface (personal computer; col. 8, lines 15-33).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Hayward and Haines due to both references disclosing a consumable ordering system to enhance the ease and speed with which consumables are replenished and/or replaced so that adequate supplies of consumables are available for a computer peripheral device.

Regarding claim 16, Hayward does not disclose the processor configured to detect the status includes a processor configured to detect a toner low or toner out status.

However, Haines discloses the computer implemented control system wherein the processor configured to detect the status includes a processor configured to detect a toner low or toner out status (col. 7, lines 39-45).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Hayward and Haines due to both references disclosing a consumable ordering system to enhance the ease and speed with which consumables are replenished and/or replaced so that adequate supplies of consumables are available for a computer peripheral device.

Regarding claim 17, Hayward discloses the computer implemented control system wherein the processor is further configured to: compose an electronic message including information describing the status (col. 8, lines 17-23); and transmit the electronic message (col. 8, lines 17-23).

Regarding claim 20, Hayward discloses the computer implemented control system wherein the processor configured to detect a status comprises a processor configured to detect a status of a hard copy output engine chosen from a group consisting of: facsimile machines, photocopiers and printers (see Fig. 3).

3. Claims 4-5, 11-12, and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayward et al. (US Patent No. 6,629,134) in view of Haines et al. (US Patent No. 6,529,692) further in view of Sekizawa (US Patent No. 6,681,349).

Regarding claims 4, 11, and 18, Hayward and Haines do not disclose wherein composing an electronic message includes composing the electronic message to

include information chosen from a list consisting of: percentage of remaining consumable, to whom assigned, blind carbon copy to, copy to, company addressed to, expected completion date, defer until, due date, duration, event address, expiration date, follow-up flag, importance, owner, priority, return receipt request status, remind beforehand, reminder, reminder override default, required attendee list, resources, sensitivity, date sent, start date, addressee, tracking status, consumables order list, maintenance items, malfunction and preventative maintenance items.

However, Sekizawa discloses the method wherein composing an electronic message includes composing the electronic message to include information chosen from a list consisting of: percentage of remaining consumable, to whom assigned, blind carbon copy to, copy to, company addressed to, expected completion date, defer until, due date, duration, event address, expiration date, follow-up flag, importance, owner, priority, return receipt request status, remind beforehand, reminder, reminder override default, required attendee list, resources, sensitivity, date sent, start date, addressee, tracking status, consumables order list, maintenance items, malfunction and preventative maintenance items (col. 30, lines 26-44).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Hayward, Haines, and Sekizawa due to all references disclosing a monitoring system to provide a configuration at low costs for eliminating the need for a communication system from each machine to be monitored.



Regarding claims 5, 12, and 19, Hayward and Haines do not disclose wherein detecting a status include detecting a status from a list of items consisting of: toner out, toner low, preventative maintenance alerts, including cleaning or replacement of component parts, consumables orders and low or "out of" status for other consumables or need for other maintenance items.

However, Sekizawa discloses the method wherein detecting a status include detecting a status from a list of items consisting of: toner out, toner low, preventative maintenance alerts, including cleaning or replacement of component parts, consumables orders and low or "out of" status for other consumables or need for other maintenance items (col. 41, lines 8-15).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Hayward, Haines, and Sekizawa due to all references disclosing a monitoring system to provide a configuration at low costs for eliminating the need for a communication system from each machine to be monitored.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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5. Claims 4, 11, and 18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 4, 11, and 18 contain the terminology "consisting of," according to MPEP 2111.03, defined as "closing the claim to the inclusion of materials other than those recited except for impurities ordinarily associated therewith." The specification fails to include the list of information that was particularly declared in claims 4, 11, and 18.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tomidokoro (US Patent No. 6,023,593) discloses a consumable item supplying system for an image forming apparatus.

Akiyama et al. (US Patent Publication No. 2003/0112457) discloses an information processing apparatus and method for use in a system with a remote printer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashanti Ghee whose telephone number is (703) 306-3443. The examiner can normally be reached on Mon-Thurs and alt. Fri. (7-4PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (703) 305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



AG  
June 24, 2004

Ashanti Ghee  
Examiner  
Art Unit 2626



MARK WALLERSON  
PRIMARY EXAMINER